

CHAPTER NO. 867

SENATE BILL NO. 2320

By Rochelle, Graves, Davis, McNally, Haun, Williams, Kurita

Substituted for: House Bill No. 3062

By Jackson, Briley, Scroggs, Newton, Bittle, Walker

AN ACT To amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to criminal offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403(g), is amended by adding the following as a section:

(3) Notwithstanding any other rule of evidence or law to the contrary, in the prosecution of second or subsequent offenders under this chapter the official driver record maintained by the department and produced upon a certified computer printout shall constitute prima facie evidence of the prior conviction.


Following indictment by a grand jury, the defendant shall be given a copy of the Department of Safety printout at the time of arraignment. If the charge is by warrant, the defendant is entitled to a copy of the Department of Safety printout at the defendant's first appearance in court or at least fourteen (14) days prior to a trial on the merits.

Upon motion properly made in writing alleging that one or more prior convictions is in error and setting forth the error, the court may require that a certified copy of the judgment of conviction of said offense be provided for inspection by the court as to its validity prior to the Department of Safety printout being introduced into evidence.

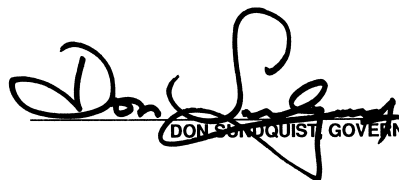
SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

PASSED: June 5, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 6th day of June 2000


DON SUNDQUIST, GOVERNOR